

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KIMBERLY BOTTOMS, on behalf of
herself and all others similarly situated,

Plaintiff,

v.

BLOCK, INC. (F/K/A, SQUARE,
INC.) (D/B/A, CASH APP),

Defendant.

CASE NO. 2:23-cv-01969-MJP

CERTIFICATION OF
CONSTITUTIONAL CHALLENGE
AND ORDER STAYING
DEFENDANT’S MOTION

The Court hereby CERTIFIES that a motion has been filed in the above-captioned matter challenging the constitutionality of the Washington Commercial Electronic Mail Act (“CEMA”), RCW 19.190.060. See Federal Rule of Civil Procedure 5.1(b); 28 U.S.C. § 2403(b) (requiring the Court to certify to the state attorney general that a statute has been challenged.)

The Court further STAYS consideration of Defendant’s Motion for Summary Judgment, (Dkt. No. 40,) for at least sixty (60) days to allow for the Washington Attorney General to intervene. See Fed. R. Civ. P. 5.1(c). After sixty (60) days, or upon intervention by the

1 Washington Attorney General, the Court will renote the motion and reset the deadlines for
2 response(s) and reply briefing.

3 The clerk is DIRECTED to transmit a copy of this notice and the motion (Dkt. No. 40) as
4 follows:

5 (1) via certified or registered mail to the Office of the Washington State Attorney
6 General, 1125 Washington St. SE, P.O. Box 40100, Olympia, WA 98504-0100; and

7 (2) via fax to the Solicitor General's Office at (360) 664-0228.

8 The clerk is ordered to provide copies of this order to all counsel.

9 Dated November 1, 2024.

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11 Marsha J. Pechman
12 United States Senior District Judge
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